

Testimony –Raised Bill 5460

Labor and Public Employees Committee - February 1, 2011

My name is Brian Anderson. I am a legislative representative for Council 4 AFSCME, a union of 35,000 Connecticut public and private employee members.

Council 4 supports Raised Bill 5460, AAC Captive Audience Meetings. This bill would simply allow workers to opt out from attending a meeting where an employer intends to discuss religion, politics or labor organizing. Similar to the belief that it is not an employer's right to coerce an employee into choosing whether to unionize or not.

Currently, employers often force workers into one on one, or one on several, meetings with the employer and professional union busting consultants in order to thwart worker attempts to unionize. Such meetings are used to intimidate and harass workers. The Universal Declaration of Human Rights (Article 23, section 4) states that "Everyone has the right to form and to join trade unions for the protection of his interests." Our country not only signed this declaration, but was a prime drafter of it. Captive audience meetings surely violate this declaration of the basic rights that every human being is entitled to. National opinion polls show that well over 60% of U.S. workers want to be part of a union, yet only 11% are unionized. This shows the need for this bill.

The Connecticut Business and Industry Association (CBIA) and oppressive employers have killed this bill before, arguing that it is pre-empted by federal law. Yet, Fred Feinstein, the former General Counsel of the National Labor Relations Board, argues that federal law would not preempt this bill, stating that "the proposed legislation extends certain privacy protections to the workplace and state laws establishing workplace privacy rights have withstood preemption challengers in the past."

Passing the Captive Audience bill would help strengthen the middle class over night and would not cost a dime of taxpayer money.

Testimony –Raised Bill 5465

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My name is Brian Anderson. I am a legislative representative for Council 4 AFSCME, a union of 35,000 Connecticut public and private employee members. Approximately, 3,000 of these members are paraprofessional educators.

Council 4 supports Raised Bill 5465, An Act concerning Family and Medical Leave Benefits for Certain Municipal Employees. This bill extends Family and Medical Leave to paraprofessionals. FMLA allows workers to take a leave of absence (up to 12 weeks if they have worked the previous 12 months), unpaid, if they, a spouse, child or parent become ill (or in case of the first year of a child's birth, an adoption or to donate organs or bone marrow). FMLA is generally the sort of thing that people do not want to use unless there is a dire need. Very few families can afford to take unpaid time and lose income for any reason. Employers have the right to make employees use any vacation time or sick time for FMLA.

Paraprofessionals are unable to utilize the state provision of the law because they routinely work under the requisite 1,250 hours per year. This bill sets the requirement for paraprofessionals at 700 hours per year. This change would allow for this large segment of workers, who are called upon to provide very valuable societal service often under very trying circumstances (such as providing educational services to children with special needs), to have a right that our country provides to almost every other type of worker. This bill provides basic fairness.

If you need further information, please call me at 860-690-2597. Thank you for your consideration.

Testimony of

Shellye Davis, Paraprofessional

Hartford Federation of Paraprofessionals, AFT Local 221

HB 5465 – An Act Concerning Family and Medical Leave Benefits for

Certain Municipal Employees

Labor and Public Employees Committee

February 1, 2011

Good Afternoon Senator Prague, Representative Zalaski and distinguished members of the Committee. My name is Shellye Davis and I am Co-President of the Hartford Federation of Paraprofessionals (HFP), AFT Local 221. As a collective bargaining unit, we represent Paraprofessionals who serve a diverse student population in the City of Hartford's School System. We are also 10-month employees who are not eligible for unemployment.

I would like to speak briefly today in favor of HB 5465, An Act Concerning Family and Medical Leave Benefits for Certain Municipal Employees.

The Family and Medical Leave Act (FMLA) provides select employees with up to twelve (12) weeks of unpaid, employment protected leave per year. It also requires that their group medical benefits continue during the leave. FMLA, is designed to help employees balance both family and work responsibility. It also seeks to accommodate the legitimate interest of employers and while promoting equal employment opportunities for both men and women.

The HFT strongly supports this bill, and the need for our members to be covered by it. As professional public educational employees, it is imperative that we maintain a positive and focused environment for the children and families we serve, including our own. Our lives are parallel to our community; we are susceptible to the same issues confronted daily by all those striving to make a peaceful and responsible life for their loved ones and themselves. The anxiety and stress of welcoming a newborn into our family, caring for an ailing spouse, child or parent, or the recovery from an injury or serious health issue, should not have to be compounded by the fear of losing our employment and health benefits. The members of HFT are some of the most caring, creative and resourceful paraprofessionals (and people) in the country. The commitment and dedication of these men and women, who faithfully serve the Hartford School System, is unparalleled. They richly deserve to have the peace of mind in knowing their service to the community is important.

The triumphs and the tragedies that inevitably affect all lives should not be compounded by the taking one's livelihood. People need to be able to take care of themselves and their families. In the grander scheme of things, we all benefit from that. Please help us and I urge you to support this bill.

Thank you for your time and for this opportunity to testify before you. I would be happy to answer any questions you may have.

Testimony

Theresa Staranchak, President

New Britain Federation of Paraprofessionals, AFT Local 2407

H.B. 5465 An Act Concerning Family Medical Leave Benefits for

Certain Municipal Employees

Labor and Public Employees Committee

February 1, 2011

Good afternoon Senator Prague, Representative Zalaski, and members of the Labor and Public Employees Committee. My name is Theresa Staranchak and I am the President of the New Britain Federation of Paraprofessionals. I am a 1:1 Special Education Para, working with a student who has Autism, and is included everyday in a regular education classroom. My role is to assist the teacher and implement whatever is modified so that my student can be successful in this type of setting. As a professional employee, I maintain a positive and focused environment for my student so that he will ultimately have less stress and a well balanced daily schedule.

I am here today representing all 250 paraprofessionals that work in the district of New Britain and who on a daily basis work hard, are dedicated, and most of all, are resourceful individuals that are productive people not only in the district but the community as well. Over the past several years our district depends and relies on us more and more. Actually, they are getting a great bang for their buck!

This brings me to the reason why I feel very strongly about HB 5465. We cannot continue to live everyday with the stress and anxiety of whether or not we will have a job if we become stricken with an illness beyond our control. Because we are full-time, 10-month, hourly employees, paraprofessionals do not currently qualify for FMLA. That is just not right. If we cannot take care of a family member or ourselves and feel confident that our jobs are not at stake, then how do we really stay healthy? We have paras that have been stricken with serious illnesses, family members who were ill and children that they must take care of. Knowing FMLA could be there for them would give peace of mind and all would then benefit.

I ask you here today to please consider this bill and give it your full support. It is the right thing to do for a very unique and committed group of individuals who presently do not have the benefit of FMLA. Thank you for your time and for listening. I'd be happy to answer any questions you may have.

Testimony of Jeanette Bolduc, Paraprofessional

RE: HB 5465 An Act Concerning Family and Medical Leave Benefits for Certain
Municipal Employees

The Labor and Public Employees Committee
February 1, 2011

Good afternoon Senator Prague, Representative Zalaski and members of the Labor and Public Employees Committee. My name is Jeanette Bolduc and I'm here to speak in favor of HB 5465, An Act Concerning Family and Medical Leave Benefits for Certain Municipal Employees. I represent the 250 paraprofessionals employed by the New Britain Board of Education and am here to share how this bill would impact us.

Paraprofessionals work with a very diverse population of mentally and physically challenged children. We strive to keep ourselves focused in order to create a balance between work and family. During the course of the regular school year we work less the current minimum 1,250 hours required to be eligible for FMLA.

In my position, I work with autistic preschool children. It is a very rewarding, yet challenging job. I also have relapsing remitting multiple sclerosis. This can cause me to intermittently be absent from my job. This, like any disease or family issue in one's personal life, can be very stressful. Having the peace of mind this bill can bring with protected leave and job security will help me, as well as any one else affected by personal medical situations that may warrant time away from their jobs.

I ask you to please support this bill and all the dedicated individuals who work hard every day to maintain the balance between family and work.

Thank you for your time. I would be happy to answer any questions you may have.

Testimony of

**Helen B. Cieslowski, Vice President
New Britain Federation of Paraprofessionals, AFT Local 2407**

**H.B. 5465 An Act Concerning Family Medical Leave Benefits for
Certain Municipal Employees**

**Labor and Public Employees Committee
February 1, 2011**

Good afternoon Senator Prague, Representative Zalaski, and members of the Labor and Public Employees Committee. My name is Helen Cieslowski and I am the Vice President of the New Britain Federation of Paraprofessionals, AFT Local 2407. I am a classroom inclusion para, working with 6th, 7th, and 8th grade students. There are 30-31 students in each classroom and I travel from class to class all day long.

I am currently in need of a knee replacement and am suffering with the constant pain associated with walking to these classes with bone on bone pain. I would like to have my knee surgery done as soon as possible but I do not qualify for FMLA! The paras are full time hourly employees working 10 months of the year.

I do not qualify for FMLA and am fearful of taking the 5 to 6 weeks needed for the surgery. I need my income from my job and even more so, I would be fearful of losing my job due to the time taken for the surgery.

I love working with my students and feel that I do them a disservice by being in school in pain all the time. The middle school teachers and students rely on paras for academic support.

I implore you to consider passing this bill to allow paraprofessionals the opportunity to be eligible for FMLA.

I appreciate your time and efforts in listening to and hopefully realizing how important this legislation is to a major group of your constituents.

Testimony of Debbie Gross, Paraprofessional
New Britain Public Schools

**HB 5465 An Act Concerning Family Medical Leave Benefits for
Certain Municipal Employees**

Labor and Public Employees Committee
February 10, 2011

Good afternoon Senator Prague, Representative Zalaski and members of the Labor Committee. My name is Debbie Gross and I am a Special Education Inclusion Paraprofessional in New Britain. I work with first graders that have special needs such as autism, learning disabilities, and social emotional and behavioral problems. I work directly with the regular education classroom teacher and the special education resource teacher.

I was diagnosed with a chronic neuro/muscular disease about 11 years ago. I have severe pain and numbness all over my body. Some days it takes everything to just get out of bed in the morning. I am in the care of a pain management doctor, which I see on a monthly basis. I am on several medications to help reduce the pain, numbness, and emotional drain of my disease.

I worry every time I need to take a sick day due to my illness if I am going to lose my job. Not being able to have FMLA makes me more depressed and anxious which causes more pain and stress to my body.

I do not want to stop working because I love working with children and I am good at what I do. I make a difference in children's lives.

I have been working in education for over 20 years. If I were to lose my job due to the fact that paraprofessionals do not have FMLA, I don't know of any other job that I would be skilled to do.

We work hard and are dedicated to helping children. We deserve the opportunity to be part of FMLA!

Thank you.

Testimony of Patricia Leyland, Paraprofessional

Re: HB 5465 An Act Concerning Certain Family and Medical Leave Benefits for Certain Municipal Employees

The Labor and Public Employees Committee
February 1, 2011

Good afternoon Senator Prague, Representative Zalaski and members of the Labor Committee. My name is Patricia Leyland and I am a paraprofessional in the Math Lab at Jack Jackter Intermediate School in Colchester. I'd like to tell you about my 2009-2010 school year. It proved to be the most challenging of my 12-year career as a paraprofessional.

It was much like any other school year until I was diagnosed with Hodgkin's lymphoma. It took quite a few sick days from work and many doctor's appointments before I even got my diagnosis and started my chemotherapy. I worked as much of my work week as I could handle through my chemotherapy treatments until May 2010. In May I had a toxic reaction to one of my chemo drugs and was hospitalized for a week. At this point my oncologist wouldn't allow me to return work because my immune system was compromised.

Knowing that paraprofessionals aren't entitled to FMLA, I wondered if I would have enough sick days left to get me through the end of the school year and hold my position. By the end of the school year in June, I had used 55 and a half sick days.

I have been employed by the Colchester Board of Ed for 12 years, so I was fortunate to have accrued enough sick days to get through the end of the school year and preserve my job. However, without being entitled to FMLA, just imagine the additional stress to one's convalescence with the burden of fear over possibly losing your job, your income, and perhaps even the health insurance that you need in order to get well.

I thought I would be able to return to work at the beginning of the 2010-2011 school year. My doctor had other plans for me. I wasn't allowed to go back to work until September 22nd 2010, again using more sick days. I now have 7 and a half sick days left to get me through June 2011. I know I will have to use future sick days for an upcoming CT scan, more checkups and more blood work at the cancer center. I still fear I may use up my sick days and my job will be in jeopardy by June.

I urge you to please consider enacting HB 5465. This would allow hard-working devoted paraprofessionals the peace of mind to know that should they need to take time off from their jobs to care for themselves or their family members, their job will be waiting for them when they are able to return to work.

I value my job and I hope that I can continue to help more of my students learn to love math. Either way my story does have a happy ending, I am cancer survivor!

Thank you for the opportunity to testify today. I'd be happy to answer any questions you may have.